



**MINUTES  
TRANSPORTATION COMMITTEE MEETING**

**March 23, 2009**

**COMMITTEE MEMBERS**

Mr. Joel Thrift, District IV, Chairman  
Mr. George Blanchard, District I  
Mr. Wayne McCall, District II

The Transportation Committee met Monday, March 23, 2009 at 5:30 p.m. in Council Chambers, Oconee Administrative Offices, 415 South Pine Street, Walhalla, SC with all members present [except Mr. Blanchard], Mr. Mack Kelly, County Engineer, Mr. Dale Surrent, County Administrator & Elizabeth G. Hulse, Clerk to Council present.

**Press:**

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeese.com/council](http://www.oconeese.com/council)]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler – Anderson Independent & Carlos Galarza - Daily Journal.

**Call to Order:**

Chairman Thrift called the meeting to order at 5:30 p.m.

**Minutes:**

Mr. McCall made a motion, seconded by Mr. Thrift, approved 2 – 0 that the minutes from the February 18, 2009 meeting be approved as printed.

**Road Paving Ordinance Review:**

Mr. Kelly briefly reviewed key Article [#5 & #6] with the Committee. Discussion followed.

No action was taken on this matter at this time but the Committee asked that this Ordinance be placed on the next agenda for further in depth discussion.

**Presentation by Citizens:**

**Coneross Point Subdivision / Mr. Wade Fair & Mr. Andrew Pierce:**

Mr. Thrift asked Mr. Fair to step forward. Mr. Fair asked that he be allowed to yield the floor to Mr. Todd Fink, President Coneross Point Subdivision HOA. Mr. Thrift agreed.

Mr. Fink read from a statement and handouts [filed with these minutes] outlining the time line of events and his contact with Coneross Point residents, Mr. Kelly & Mr. Pierce. He noted that a questionnaire was mailed to the 76 home owners with 45 responses [only one in support of stopping the road maintenance of the community's right-of-ways]. Mr. Fink stated that it is the position of the HOA to ask the County to continue with maintenance of the right-of-ways.

Mr. Andrew Pierce next addressed the committee stating that he felt that after meetings with Mr. Kelly that information he received was vague and that Mr. Kelly had told him one thing

and the HOA another thing. Mr. Pierce reiterated that Mr. Kelly stated he would “clear cut” the right-of-ways. Mr. Kelly responded that his department does not clear cut and that he never told Mr. Pierce that this would be the policy for this subdivision. Mr. Kelly stated that he has an obligation and the authority for safety reasons to clear the right-of-way. He stated that they routinely prune low hanging limbs over the road.

Mr. Fink interjected that Mr. Kelly had provided the HOA with the criteria for cutting to include removal of obstructions, growth on slopes and in ditches, and damaged or leaning trees. Several members of the HOA Board voiced support for Mr. Kelly’s work.

Mr. Pierce stated that he felt the HOA should hire a private company to provide these services. All members of HOA Board in attendance opposed this idea and also stated that funds are not available.

Lengthy discussion followed between HOA members, Mr. Pierce and Mr. Kelly.

Mr. Thrift recommended that Mr. Kelly resume maintenance of the right-of-way in the Coneross Point Subdivision.

### **Old Business:**

#### **Dr. John’s Road / Ms. Boy:**

Ms. Boy reviewed with the new Committee members the history [*refer to August 6, 2008 Transportation Committee minutes – appropriate portion attached as Attachment #1*] regarding Dr. John’s Road. Ms. Boy stated that it is the desire of the property owners along this road to have the county abandon the road. Mr. Kelly stated that in years past that owners had not been in agreement and as the County had an easement and the road way was in bad shape that paving was done in 2008. Discussion followed.

Mr. Thrift questioned the process for the County to abandon the road. Mr. Surret outlined briefly the process and referred to SC State Code 57. He also stated that the Corp of Engineers needs to be involved to ensure that they have no issue with abandonment and lake access.

Ms. Boy stated that she and the other owners felt that any expense associated with abandonment should be born by the county and not the property owners. Discussion followed.

Mr. Thrift stated that no action would be taken at this meeting and instructed the Administrator to have an attorney review and make recommendation to this committee.

#### **Walter Scott Lane / Mr. Baltzer:**

Mr. Baltzer reviewed with the new Committee members the history [*refer to February 28, 2008 and August 6, 2008 Transportation Committee minutes – appropriate portion attached as Attachment #2*] regarding Walter Scott Lane in the Burns Mill Subdivision. Mr. Kelly reviewed the issues with this road that had kept the road from being accepted into the county system to include: [1] slope greater than 12% [theirs is 16% in some places], [2] roadway is currently 20 feet not the required 22 feet, [3] two soft spots are present in the road surface, [4] right of ways need to be cleared and deeded for 25 feet from the center line, [5] cul de sac issues, and [6] sight distance issues need to be resolved. Discussion followed.

It was the recommendation of the Committee that they take their issue to the Board of Zoning Appeals for review and a decision. The Committee asked the Clerk to Council to provide the Baltzer’s with contact information for the Board.

#### **Mountain Rest Fire Department / Grading:**

Mr. Thrift stated that the Mountain Rest Fire Department had withdrawn their request.

**Corp of Engineer's Request to Accept Choestoea Road:**

Mr. Surrett noted that he had met with the Corp on other issues along with this road. He noted that the road was originally built for lake / boat ramp access. Since it was built five lots on the road have been built on. The Corp is willing to build the road to county standards prior to turning the road over to the county. Mr. Surrett noted that taking this road into the county system was advantageous to the Corp and not the county.

Mr. Thrift asked Mr. Surrett to continue discussion for report at a future meeting.

**New Business:****Crystal Falls Subdivision Road Issues / Mr. Bruce Justice:**

Mr. Bruce Justice & Mr. Bob Hester addressed the Committee and read from an email [copy filed with these minutes and provided to all Council members]. Mr. Justice stated that there are three issues they would like the committee to act on: [1] help to identify ownership of the road, [2] outline requirements for road constructions for this road, and [3] if the county will accept the road what funding options are available to the citizens to include possibly a special tax district. Lengthy discussion followed.

Mr. Thrift recommended that they do the following prior to coming back to this committee for further discussion: [1] establish ownership, and [2] have an engineer review the road and have a survey conducted.

**Next Meeting:**

Mr. Thrift did not schedule the next meeting at this time.

**Adjourn:**

Chairman Thrift made a motion, seconded by Mr. McCall, approved unanimously to adjourn at 7:55 p.m.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council

**ATTACHMENT #1**  
Minutes portion from 8/8/08

**Dr. John's Road / Ms. Jean Boy:**

Ms. Boy deferred addressing the Committee to her neighbor, Mr. Edward Rembert. Mr. Rembert addressed the Committee regarding the residents of a portion of Dr. John's Road desire to have the County abandon the road between Cedar Ridge and Mt. Bay. He came to the Committee to add additional information beyond what Ms. Boy presented at the July 8, 2008 Transportation Committee meeting.

Mr. Rembert stated that now that the road has been repaved it has become a race track for local youth and is very unsafe for their children to cross to reach the lake. He noted that his personal pet had been struck by a car and killed recently also. Mr. Rembert stated that the residents would be willing to incur the costs to remove the roadway at an approximate cost of \$48,000. Mr. Crumpton inquired if the residents had approached the Corp about abandonment and Mr. Rembert stated that the Corp was in agreement to abandon. Discussion followed.

Mr. Norton noted that even though the County just repaved Dr. John's road that abandonment would mean in the long run diminished maintenance and resurfacing costs.

Mr. Surrect voiced concerns that all arms of the Corp be involved to ensure that they are in agreement. He noted that the Corp is very reluctant to abandon public access to the lakes.

Mr. Rembert along with other residents voiced concerns that the road should never have become a county road as it dissects their lake front lots. Mr. Surrect reviewed how if a private road is maintained and used by the public for a period it becomes a public road in the eyes of the law.

At the conclusion of the conversation it was agreed that Mr. Rembert will write to the Corp to ensure their agreement to closing this portion of Dr. Johns Road. Mr. Crumpton will bring this discussion back to committee in the future.

**ATTACHMENT #2**  
Minutes Portion from 2/28/08

**Walter Scott Lane:**

Mr. Crumpton welcomed residents of Walter Scott Lane; Mr. Howard Bentley, Mr. Bob Baltzer and Ms. Ginny Baltzer. The citizens addressed the committee regarding documentation recently found [filed with these minutes] regarding acceptance of this road into the county road system.

Mr. Kelly provided some history and noted that Ordinance 1982-14 would have been the standards in place when this road was constructed. He noted that the 12% slope is comparable with other surrounding counties and that to accept a road with a greater slope causes problems with maintenance and repaving along with run off issues. The key areas where the road does not meet county standards are: [1] slope greater than 12% [theirs averages 16%], [2] roadway is currently 20 feet not the required 22 feet, [3] two soft spots are present in the road surface, and [4] right of ways need to be cleared and deeded for 25 feet from the center line. Mr. Bentley noted that some residents have already begun work on clearing underbrush and tree stumps.

After discussion it was agreed to proceed as follows:

1. The Oconee County right of way technician will visit the road and meet with the residents to identify the soft spots requiring repair and any areas that need clearing. In addition, the technician will work with the residents to develop a plan to have all right of way forms signed by all residents.
2. When the residents have scheduled the repairs for the soft spots, they will contact the Road Department Director to schedule an employee to observe the repairs.
3. Any needed grubbing need to be completed prior to repairs on the road surface so that the technician can inspect both the repair and grubbing in one visit.
4. Once 1-3 are complete the residents need to notify either the Road Department Director or Mr. Crumpton, committee chair, so that this issue may be brought back to the committee for final action.

Minutes Portion from 8/06/08

**Walter Scott Road / Mr. Bob & Ginny Baltzer:**

Mr. & Mrs. Baltzer appeared before the Committee with additional information they have received since their first appearance on February 28, 2008. At that time it was believed that the road was owned by the residents, however, after further research it has been determined that there is a 50' right-of-way to the center of the roadbed. Mr. Baltzer noted that the developer has since died and that there is no home owners association for this road. Discussion followed. Mr. Baltzer again noted that other roads surrounding their road were accepted into the county road system and stated he felt it must have been an oversight at the time to not include Walter Scott.

Mr. Surrentt inquired from Mr. Mack Kelly, Road Department Director, if any maintenance and/or work had ever been done by the county on this roadway. Mr. Kelly stated none had ever been done.

Mr. Tom Marcovich noted that developers routinely obtain a deed for the 50' right of way and that the roadway should be a separate parcel and someone should be paying taxes on the parcel.

Further research will need to be done on this issue. No action was taken by the Committee at this meeting.